FINAL PROGRESS REPORT ON IMPLEMENTATION OF THE PARLIAMENTARY SUB-COMMITTEE ON THE PENITENTIARY SYSTEM IN CANADA

Prepared for: The Honourable Robert Kaplan

The Solicitor General of Canada

Data as of June 5, 1981

Canada

Correctional Service Canada

Service correctionnel Canada

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*Considered implemented or implemented in modified form.

INTRODUCTION

As indicated in the May, 1980 Progress Report on the implementation of the 65 recommendations of the Parliamentary Sub-Committee Report on the Penitentiary System in Canada, 56 recommendations had been accepted (40 fully implemented and 16 requiring long-term implementation). Seven recommendations were rejected or were outdated and two fell into a special category where their complexity did not permit simple categorization.

This progress report will concentrate on those recommendations previously identified as special, or requiring long-term implementation. As indicated in the following text, six of these recommendations can now be considered implemented or implemented in a modified form. Therefore, of the 56 accepted recommendations, 46 are now considered implemented while the remaining 10 require long term implementation. Further reports on specific recommendations will be made on request.

(If detailed information is required on any of the other recommendations not referred to in this progress report, the May 1980 report can be made available.)

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RECOMMENDATION 2

The criminal justice system should be carefully re-examined with a view to enlarging the alternatives to incarceration.

STATUS - ACCEPTED - LONG TERM IMPLEMENTATION

The Minister of Justice intends to introduce shortly the Omnibus Criminal Amendment Bill which will include legislation provisions for alternatives to incarceration. At the Sixth United Nations Congress on the prevention of Crime and the Treatment of Offenders the Canadian delegation sponsored and secured the co-sponsorship of 18 countries for the resolution of alternatives to imprisonment. This resolution which was designed to afford the Congress an opportunity to record its commitment to the development of alternatives to imprisonment without undue risk to public safety was adopted by consensus. The Consultation Center of the Ministry of the Solicitor General will continue to give priority in supporting demonstration and innovative projects on alternatives to incarceration. One aspect of alternatives to incarceration is assistance to victims. A Federal/Provincial Working Group has been established to identify a coordinated strategy to develop legislation, policies and programs to assist the victims.

Proposed Provincial and Federal strategy to assist victims will be considered by the ministers responsible for Criminal Justice at their fall conference.

RECOMMENDATIONS 5, 11, 18 and 26

RECOMMENDATION 5

Retirement at 55 years of age must be mandatory for all employees other than professional staff, with full pension after 25 years of service. Early voluntary retirement at age 50 after 20 years of service should be optional.

RECOMMENDATION 11

Staff must be paid in keeping with their training and status and we find the R.C.M. Police to be the appropriate model.

RECOMMENDATION 18

When the new system of qualifications, pay, promotion and pension is being instituted, all present penitentiary staff should be re-examined with a view to determine their continuing suitability for penitentiary service. Those who are not deemed suitable should be transferred to other government departments, retired from the Service with appropriate pensions, or dismissed.

RECOMMENDATION 26

The Penitentiary Service under the Board must be an independent agency of government not subject to the Public Service Employment Act or the Public Service Staff Relations Act. It should resemble the R.C.M. Police in its discipline and professionalism. Employees should be subject to discharge for misconduct or incompetence.

STATUS - ACCEPTED - LONG TERM IMPLEMENTATION

To achieve the objectives of Recommendation 26 and related recommendations, a Task Force on Correctional Careers was set up in July, 1978, to determine how personnel - related recommendations of the Sub-Committee could be completed for Staff who ensure security and prepare offenders for return to society.

RECOMMENDATIONS 5, 11, 18 and 26 (cont'd)

By June, 1980, the Task Force had completed the development of a new personnel management system for correctional staff. That system was outlined in submissions to the Senior Management Committee, dealing with the following subjects:

(i) Defining the Corrections Category;

(ii) Special Benefits for Correctional Staff;

(iii) Staff Management Plan - General Information;

(iv) Classification of Positions and Employees - I - Administrative Policies;

(v) Minimum Qualifications for Entry to Occupational Areas;

(vi) The Correctional Operations Group;

(vii) Appointment to Level;

(viii) Classification of Positions and Employees - II - Plan of Classification;

(ix) Initial Selection and Induction Training;

(x) Redress Procedures;

(xi) Classification of Positions and Employees - III - Pay Conversion;

(xii) Staff Management - Detailed Staffing, Promotion and Career Development Plans.

The principal recommendations of the Task Force have been conditionally approved by the Senior Mangement Committee, subject to acceptance by the Treasury Board Secretariat and the Public Service Commission, and to the reactions of the Union of Solicitor General Employees.

As the plan to implement these recommendations was developed, consultations were held with the Union of Solicitor General Employees. Officers and staff of the Union indicated that they were seriously concerned about a number of aspects of the proposed changes. A meeting of CSC management and the staff and executive of the USGE was held on September 23, 1980.

RECOMMENDATIONS 5, 11, 18 and 26 (cont'd)

A measure of general agreement was reached as to final objectives of the new system if not on the exact method of implementing it. In recognition of the complexity of implementing a new personnel management plan a joint committee of senior officers of the CSC and USGE was struck to develop, as soon as possible, a master plan to enable the changes to be brought into place in an orderly and logical way over the estimated two to four years it will take to fully implement the system.

The joint committee (CSC-USGE) subsequently met and both parties clarified their respective positions on various issues related to the new Personnel Management System.

Starting actions have been taken in the following areas:

a) Establishment of a CSC national council, with representatives from all regions, that will henceforth direct all training activities in the Service. A new induction training program - Correctional Officers' Recruit Program (CORP) - has been implemented and a preliminary evaluation was done in March 1981. Following this evaluation it was decided that a more comprehensive review of content was necessary. This is scheduled to take place in November 1981.

b) Examination of the whole staffing process of new employees has started with the goal of implementing as many as possible of the Task Force on Correctional Career's recommendation within the constraints of the current organization.

c) A number of meetings have been held with officials of the Treasury Board to study various aspects of the Special Benefits for correctional staff.

d) Agreement has been reached with the USGE on the basic formula for early retirement and related benefits, essentially along the lines orignally proposed by the Task Force. The plan is, of course, subject to Treasury Board and Cabinet approval.

RECOMMENDATION 12

In order to increase staff experience, and to enhance the quality of Canadian penology, there must be regular programs of exchange of manpower for periods of up to a year or two with penitentiary systems in other countries.

PREVIOUS STATUS - ACCEPTED - LONG TERM IMPLEMENTATION

The Correctional Service has taken a number of approaches to achieving the increased staff experience, and more importantly, the enhanced quality of Canadian penology referred to in this recommendation.

On May 23, 1980 the Correctional Service of Canada signed a formal agreement with the United States Federal Bureau of Prisons to exchange technology and staff.

The Correctional Service has wholeheartedly accepted the American Correctional Association accreditation process and is sending staff to receive training and participate in the actual review exercises.

Mr. Alan Breed, Executive Director, National Institute of Corrections, Washington, D.C., is a member of The Correctional Service of Canada's Strategic Planning Committee.

Finally, a wealth of international visits and exchanges reflected in the examples which follow, have assisted The Correctional Service of Canada in both improving its own programs and enhancing its image abroad.

A sample of visits and their purpose follow:

VISITS TO OTHER COUNTRIES BY CSC STAFF

Person & Position	Location	Purpose
Sheila Henriksen Director, Community Programs & Social Development (now Special Advisor to DCC)	Australia	1 year assignment as part of an exchange program

RECOMMENDATION 12 (cont'd)

Person & Position	Location	Purpose
M. Beane, EA to DCOP and L. Pisapio (then DCOP)	Mexico	To work on Exchange of Offenders Treaty
G. Pinder, A/DCOP and F. McVie, Staff Member	Georgia	To meet with State Correctional Officials to study earned remission system
M. Beane, EA to DCOP	Mississippi Minnesota, Louisiana, and N.Y.	To study family visiting facilities
Mr. Braithwaite DCC L. Pisapio DCOP G.R. Hooper Evaluation and Director Special Projects	San Francisco, Sacramento	To investigate family visiting programs in California State Institutions
J. Siberry Director, Case Mgt. Odette Gravell-Dunberry Staff Member Case Mgt.	Maryland, U.S.A.	To participate in National Parole Symposium
G. Pinder A/DCOP	Holland	To participate in 5th International Seminar on Community Corrections
J. Siberry Director, Case Mgt.	New York City	To participate in 4th International Conference of Therapeutic Community

RECOMMENDATION 12 (cont'd)

Person & Position	Location	Purpose
A. McMichael CSER	Washington, D.C.	To discuss Fire Safety Program in U.S. Federal Prisons
T.B. Kelly (DPS) J. Lavoie (CIMC) S. Brazeau (SSPO) A. McMichael (CSER)	Durham, N.C. Lexington, Kentucky and Marion, Illinois	To visit United States Federal Prisons and study security systems.
Geo. Downing and George Day, Ontario Region	Mexico	To participate in Canada/Mexico Transfer of Inmates
John Lavoie CIMC	Dallas, Texas	To attend Inmate Disciplinary Seminar
F. Purvis (CS) S. Brazeau (A/CSER)	Madison, Wisc.	To visit Oxford Institution and study security system
John Siu DCPPA	Hong Kong	To present a paper on Criminal Justice System in Canada and administration of Penitentiary System and to meet with Pacific and Asian Correctional Administrators.
Lucien Gosselin Leclerc Institution	Washington, D.C.	To work with the American Correctional Association for seven months in developing model policies and procedures for the accreditation program.

RECOMMENDATION 12 (cont'd)

Person & Position	Location	Purpose
M.M. David DGIE	Dallas Conference	To participate in a planning workshop in Management Supervisory Training for Industrial personnel
	Also visited: -Fort Worth Federal Correctional Institute -Texarkana Federal Correctional Institute -Seagoville Federal Correctional Institute	
A. MacKenzie, Director of Industries G. Richards, Staff Member	New Jersey, Massachusetts, and New Hampshire	To participate in Quarterly Meeting of the Northeastern Correctional Industries Association
E. Fox, Director of Special Employment Programs	Boston, Mass.	To participate in Northeastern States Conference on Employment of Inmates
D. Griffin, Chief Academic Education	Salem, Oregon; & Nashville, Tennesse	To visit Correctional Education Association (US)
K. Baksh, Chief Vocational Education	Oklahoma City	To participate in Workshop
R. Cyr Industries, Staff	New York	To Visit National Micrographic Association

RECOMMENDATION 12 (cont'd)

Person & Position	Location	Purpose
T. Parlett, Regional Manager Education & Training (RHQ, Pacific)	Chorley, England	To participate in International Conference on Prison Education
Mr. Connidis, Director, Major Construction Projects T. Crawford, DGTS	Trinidad	To set up design and monitor Golden Grove Prison Project in Trinidad
Mr. Levett Director, Telecommunications & Electronics	Kentucky and Alburquerque New Mexico, Memphis, Tennessee, & Los Angeles	To attend Carnahan Conference (yearly) Crime countermeasures Presented a paper To conduct a tour of U.S. Prisons & Laboratories re technology
	and Berlin, Germany	To attend conference on Security through Science & Engineering
	and London England	To visit test sites and systems in prisons
W. Scott, Director of Planning & Architectural Bldg. Program	Buffalo, N.Y.	To attend Conference with Environmental Association.
J. Gray Chief, Plant Operations & Maintenance	St. Louis Miss.	To attend the National Fire Prevention Association Convention
Representatives of U.S.G.E. and Regional Staff and Institutional (Atlantic and Ontario).	White Plains, N.Y.	To develop plans for implementation of private family visiting.

RECOMMENDATION 12 (cont'd)

Person & Position	Location	Purpose
D.R. Yeomans Commissioner J. Braithwaite, Deputy Commissioner, Communications and other senior staff	San Diego	ACA Congress
D.R. Yeomans, Commissioner J. Braithwaite Deputy Commissioner, Communications Sheila Henriksen, UN Liaison Officer L. Zeitoun, Chief, Social Programs	Caracas	United Nations Congress
Mary Dawson, Warden Warkworth Institution	Texas Arizona Correction	Consultation with colleagues
Dr. Craigen, DGMS Dr. Roy RDG Prairies RDG Pacific	United Kingdom & Western Europe	To recruit psychiatrists and explore exchange programs
J. Braithwaite, Deputy Commissioner, Communications (a member of a team, funded by the McConnel- Clark Foundation)	Islas Marias and Mexico City	Touring Mexican penal colony and meeting with Mexican correctional officials
Commissioner, DCC and SDC	Raybrook Institution, N.Y.	Meeting with Federal Bureau of Prisons officials re proposed staff placement exchange

RECOMMENDATION 12 (cont'd)

Person & Position	Location	Purpose
Sheila Henriksen, Special Advisor to DCC	Strasbourg, France	Fifth Conference of Directors of Prison Administrations (sponsored by the Council of Europe)
Various CSC staff across Canada	Institutions and correctional offices in U.S.	To observe and consult on various innovative programs, i.e. family visiting, etc.
W. Westlake, Senior Deputy Commissioner, J.-P. Dugas, RDG (Quebec) and J.Murphy, RDG(Pacific)	various European countries	Visited institutions and met with senior officials of various correctional administrations

(Delegates from NHQ and the Regions attended various conferences and seminars over the past year, i.e. ACA Congress, San Diego; West Central Wardens' & Superintendents' Association Conference, Colorado Springs; 2nd National Forum on Criminal Justice, Cherry Hill, New Jersey; etc.)

VISITORS TO CSC FROM OTHER COUNTRIES

General Zaki, Commandant of Prisons System, Egypt Brig. Hussain Fikry, Director of Research	Ottawa	To look at various types of security systems in Canada and meet with CSC senior staff
Hon. Walter Jona, M.P., Minister of Community Welfare Services, Victoria, Australia and Mr. Bodna, Director General of Community Welfare Services	Ottawa	To meet with senior CSC staff, expecially Offender Programs

RECOMMENDATION 12 (cont'd)

Person & Position	Location	Purpose
Tony Travisono, Executive Director ACA, Washington Norm Carlson, Director, Federal Prison System, Washington	Ottawa	Meetings with the Minister, Deputy Minister, Commissioner and senior staff re exchange of technology & staff
Dr. Mary Lozano, Research & Evaluation Officer, EOW, Dept. of the Navy, Washington	Ottawa	Addressed SMC on "Family Life in Islas Marias - A Mexican Penal Colony"
Mr. Molai, District District Magistrate, Losotho, Africa	Ottawa	To discuss inmate rights and human rights in the field of justice and parole
Clas Amilon, Director, Swedish Prison System, Sweden	Kingston & Ottawa	Meeting with senior CSC staff and accompanied Swedish Theatre Company during performance at Millhaven
Robert Fosen, Executive Director, Commission on Accreditation for Corrections and Tom Mangogna Washington	Ottawa	To discuss accreditation and standards applicable to Canada
Dr. R.N. Datir Jailor GR.1, Thane Central Prison, India	Vancouver	To visit facilities in Canada and meet with regional staff
Balfour Stephens, Assistant Governor, Maze Lisburn Prison, Northern Ireland	Ottawa	Meeting with CSC staff and tour facilities in his work on the government enquiry team on correction policies in N. Ireland

RECOMMENDATION 12 (cont'd)

Person & Position	Location	Purpose
Honourable Sir William Douglas, Chief Justice of Barbados and Mr. Justice Lameck Mfalila, Tanzania	Ottawa and Kingston	Study tour to see the Canadian justice system at work
Allen Breed Director National Institute of Corrections, Washington, D.C.	Ottawa	To work with CSC Strategic Planning Committee
West Central Wardens Association of America	Vancouver	Held their conference in Vancouver and exchanged views with Canadian colleagues
A delegation of Students and Staff of the Ecole Nationale d'Administration Penitentiaire and representatives of the Dept. of Justice, France	Ottawa and Quebec Region	Met with Commissioner & senior staff of CSC, Secretariat and NPB and toured institutions in Quebec
Mr. Grant Johnson, Supervisor of Classification, Melbourne, Australia	Ottawa and Quebec Region	Met with DCOP and staff at NHQ and toured institutions in Quebec
Six staff members of Correctional system, Southern Ireland	Ottawa and Quebec Region	Visited institutions in Quebec and met with senior staff at NHQ

RECOMMENDATION 12 (cont'd)

Person & Position	Location	Purpose
Mrs. Ann-Britt Grunewald, Director of a Maximum security male prison, Sweden	Ottawa and Kingston	Met with Commissioner and senior staff and toured institutions in Ontario region
Dr. Robert Fosen, Executive Director, Commission on Accreditation for Corrections, College Park, Maryland, USA	Ottawa	Met with CAPC and CSC officials on standards and accreditation
Mrs. Eloise Sinclair, Assistant Ombudsman, Jamaica	Ottawa	Will be visiting Ottawa in Sept., 1981 and meeting with officials of CSC, Dept. of Justice, Supreme Court, Human Rights Commission and Correctional Investigator
Mr. Clas Amilon, Head of Bureau responsible for Offender Programs, Sweden	Ottawa	Will be visiting Ottawa and area on a lecture tour early Spring 1982- his program will be arranged by CSC

(Over the past 18 months, we have had visitors from: Egypt, Australia, Washington, Losotho, Sweden, India, Northern Ireland, Eire, Southern Ireland, Barbados, Tanzania, and France)

RECOMMENDATION 12 (cont'd)

The following is a list of CSC officials who now hold office in national and international organizations and through their activities, ensure a constant flow of information regarding correctional progress:

Gordon Pinder, Chairman, American Probation and Parole Association (APPA) -- Deputy Commissioner, Offender Programs, The Correctional Service of Canada (CSC), NHQ

C.E. Dumaine, Regional Director, American Probation and Parole Association (APPA) -- Regional Executive Officer, CSC Regional Headquarters (Atlantic Region)

J.C. Perron, Regional Director, American Probation and Parole Association (APPA) -- Regional Executive Officer, CSC Regional Headquarters (Québec Region)

Peter Hyne, Regional Director, American Probation and Parole Association (APPA) -- Chief, Special Projects, Operations and Quality Control, CSC NHQ

Paul Oleniuk, Regional Director, American Probation and Parole Association (APPA) -- Regional Executive Officer, CSC Regional Headquarters (Prairie Region)

Grant Spiro, Regional Director, American Probation and Parole Association (APPA) -- District Director, CSC Parole Office, Calgary

Dennis Kerr, Editor-in-Chief, Perspectives Newsletter, American Probation and Parole Association (APPA) -- Regional Chief, Program Design and Resource Development, CSC Regional Headquarters (Ontario Region)

Louis Zeitoun, Vice-President, International Halfway House Association -- Chief, Community Resources & Special Programs, CSC NHQ

Jim O'Sullivan, President, North American Wardens Associations -- Warden, Saskatchewan Penitentiary

Dave Dhillon, President, West Central Wardens Association -- Warden, Matsqui Institution

Al Wrenshall, Member, Standards Committee on Accreditation -- Inspector General, CSC NHQ

RECOMMENDATION 12 (cont'd)

Marjorie David, Member, American Correctional Association (ACA) Program Committee -- Director General, Inmate Employment, CSC NHQ

John Braithwaite, Member, American Correctional Association (ACA) Publications Board, Member, ACA Resolutions and Policy Committee, Member, Commission on Accreditation, Past President of ACA -- Deputy Commissioner, Communications, CSC NHQ

CURRENT STATUS

Implemented in modified form.

RECOMMENDATION 27

Employees of the Penitentiary Service who perform supervisory or confidential functions should not be entitled to belong to unions. Matters clearly under the prerogative of management such as security, programming and inmate welfare must not become the subject of collective bargaining. Compulsory arbitration must be the only means of dispute settlement.

PREVIOUS STATUS - ACCEPTED - LONG TERM IMPLEMENTATION

On November 29, 1979, the Union of Solicitor General Employees formally agreed to the exclusion of all Correctional Officer 8's in maximum security institutions where the team concept is in place after a Public Service Staff Relations Board decision.

The review of all exclusions at the National Headquarters level has been completed and discussions have been held with the Union of Solicitor General Employees (U.S.G.E.) representative concerning the additional exclusion requirements identified by management. While substantial agreement was attained, a number of positions (38) remain in dispute at this time and, of that number, it is likely that many will only be resolved by a third party (i.e., Public Service Staff Relations Board).

Present plans call for the review and formulation of exclusion proposals for the regions upon completion of the National Headquarters project.

RECOMMENDATION 27 (cont'd)

In response to the subject of compulsory arbitration, the route chosen for the resolution of Collective Agreement disputes whether it be Compulsory Arbitration or Conciliation/Strike is established by legislation and not a discretionary matter for CSC or Treasury Board. It is a decision and right taken by the Bargaining Agents.

In the longer term, the implementation of the recommendations of the Task Force on Correctional Careers (see response to Recommendation No. 26) will have a significant impact on the aims of Recommendation No. 27.

CURRENT STATUS

Implemented.

RECOMMENDATION 30

Independent chairpersons are required immediately in all institutions to preside over disciplinary hearings. Cases should be proceeded with within 48 hours unless there is reasonable cause for delay.

PREVIOUS STATUS - ACCEPTED - LONG TERM IMPLEMENTATION

Independent Chairpersons have been in maximum security institutions for more than two years.

During the period July 9-10, 1979, an Independent Chairpersons' Workshop was held in Ottawa, for the purpose of reviewing the progress of these citizens in the Service's maximum security institutions.

The results of the workshop, combined with the statistics collected from an in-depth evaluation and analysis of their work, have provided the input for the formulation of guidelines governing disciplinary hearings. Discussion at the workshop revealed that there was little variance in the procedures being applied across the system.

RECOMMENDATION 30

In May 1980, the Cabinet Committee on Social Development approved the extended use of Independent Chairpersons at medium security institutions. That approval was subsequently confirmed by Cabinet that same month. Although full implementation was scheduled for 1 July 1980 it was November 1980 before all medium security facilities had Independent Chairpersons presiding over disciplinary hearings. All Chairpersons attended a workshop in Ottawa 23-24 September, 1980, at which time they were familiarized with their specific role in the inmate disciplinary process.

CURRENT STATUS

Implemented.

RECOMMENDATION 39

The Penitentiaries Act should be amended to allow the products of inmate labour to compete on the open market, and the change should be implemented after full consultation with industry and with labour.

PREVIOUS STATUS - ACCEPTED - LONG TERM IMPLEMENTATION

The Minister strongly supports the Sub-committee's emphasis on the importance of work, and of increasing productive opportunities. Legislative authority for sales of goods and services on the open market is not required.

Significant progress is being made in CSC's Industries Program particularly in two areas:

1) The overall revitalization of the CSC Industries program encompassing:

   - establishment of a Marketing and Sales organization;

   - establishment of a more effective Manufacturing organization and appropriate controls;

RECOMMENDATION 39 (cont'd)

- establishment of a Staff Training and Development Program;

- launching a major effort in plant upgrading and cost effectiveness improvement; which will
  - greatly increase the number of jobs which are similar to those available in private industry, and
  - improve revenue/cost performance.

2) CSC is negotiating "joint venture working arrangements " with private sector manufacturers to supply components that are not available in Canada and are procured "offshore" or from the USA by Canadian manufacturers. The over-riding criteria for such a program is the assurance that CSC does not encroach upon or compete with the private sector.

The Service has also decided to increase farm production. As a result plans have been prepared for an expanded farm, kitchen garden and horticulture program plus plans for a pilot project dealing with fish farming. Greater use of greenhouses as part of a whole new scheme of agribusiness is being stressed.

In the past, farm annexes existed to serve the adjacent institution; in the future they will all be part of a national farm resource for the entire Service. Garden produce, dairy and meat products produced in one Region are currently being transported by truck to another.

CURRENT STATUS

Implemented.

RECOMMENDATION 40

A national prison industries corporation should be established, and the full cooperation of business and labour enlisted in providing guidance and implementation towards the fullest possible work opportunities in penitentiaries.

PREVIOUS STATUS - ACCEPTED - LONG TERM IMPLEMENTATION

The Service has an independent Advisory Committee on Inmate Employment made up of senior officials from labour, industry, and government and chaired by the Executive Director of the Canadian Manufacturer's Association. It is providing guidance on policy, organization and implementation of greater work opportunities for inmates. The concept of a formally incorporated national prison industry corporation is not considered to be a viable alternative at the present time. However, a private sector sales force has been established and it includes salespersons in each of the five regions as well as the National Capital Region. Results indicate a doubling of sales over the past two years.

CURRENT STATUS

Implemented in a modified form.

RECOMMENDATION 41

There must be a graduated system of incentives based on labour productivity. Incentives should include bonuses for piecework and improvements, and earned remission. Inmates who work either inside or outside penitentiairies should be required to pay room and board at reasonable rates and to contribute to the support of their families to the extent that these demands are compatible with their retaining a financial incentive to work.

PREVIOUS STATUS - ACCEPTED - LONG TERM IMPLEMENTATION

A new inmate pay program was implemented on April 20, 1981. The program is designed to equitably provide inmates with pay according to the work done. Under this plan, those inmates who participate in employment programs, including education and training, agriculture, institutional services, industrial production and other programs created under the direction of the Service, will receive a rate of pay designed to compensate for the work done. It is intended that the employment programs, by simulating commercial employment conditions, and rewarding inmates according to their effort, will prepare them for their release to society.

The Correctional Service of Canada in complying with the recommendation that inmates be required to pay room and board at reasonable rates, has used a formula developed by Statistics Canada, to determine the disposable income, or balance remaining, should deductions for shelter, food, clothing, medical needs, taxes, furnishings, education and transportation be made. The rates of pay for inmates were set by application of this Disposable Income Formula, using the federal minimum wage as a base.

The revised Inmate Pay Program provides for sound institutional maintenance and administration by establishing an integrated pay system with accurate financial and employment control.

The Inmate Pay Program is designed to:

1) Pay each inmate according to the job and work performance;

RECOMMENDATION 41 (cont'd)

2) Identify and classify all inmate jobs;

3) Establish nationally consistent policies, guidelines, rules and regulations governing pay;

4) Give the inmate the responsibility as an employee and consumer to purchase many of his own goods from his earned monies;

5) Control the pay and employment program so that it continues to provide the inmate with the incentive to work and perform well;

6) Provide an incentive for inmate cascading from maximum to minimum institutions;

7) Encourage inmates to learn a trade, to obtain and retain a job while in the institution, with a view to better prepare themselves for eventual release.

CURRENT STATUS

Implemented.

RECOMMENDATION 45

The social therapy technique developed by the Oak Ridge Division of the Ontario Mental Hospital at Penetanguishene is the most promising known for assisting offenders in self reformation. This technique should be introduced into both maximum and medium security institutions immediately to the extent that it is possible to separate entirely the inmates in social therapy from the rest of the prison population. New institutions should be built with the need for small completely contained units in mind.

STATUS - SPECIAL

As indicated by the "Special" status, the Service is not yet prepared to fully apply this recommendation. Although recognizing the apparent general value of the technique, its viability in a penitentiary setting in contrast to a mental hospital, must be thoroughly tested. The Service is not prepared to introduce the program <u>immediately</u> into all maximum and medium security institutions.

RECOMMENDATION 45 (cont'd)

The Senior Management Committee of The Correctional Service of Canada subsequently approved the implementation of a Pilot Social Therapy Program at RPC (Pacific) and the program commenced in December 1979 with 26 participants. There are some important differences between the program operated in the psychiatric centre and that in the social therapy unit at Oak Ridge. In the latter the patients are usually certified or held under warrant of Lt.-Governor. Release of an individual depends on decertification which, in turn, is related to performance and participation in programs. Penitentiary sentences are usually determinate and do not provide the same degree of motivation for participation that exists in the Oak Ridge program. There is nothing to compel the patient to continue participating if he finds the Centre program unpleasant. What the two programs do share are some of the basic principles of therapeutic community type programs.

Ten guiding principles for the implementation and continuance of an Oak Ridge social therapy model have been identified and in June 1980, 8 of these had been accomplished within the Centre's program.

Additionally, out of the 7 Oak Ridge program elements identified in the Parliamentary Subcommittee report, 5 of these exist at the Regional Psychiatric Centre. These are:

1) Its application depends on the pressures exerted by the patients on each other;

2) Staff and patients entertain free and confident relationships;

3) The inmates "code" is phased out by the integration of the patients into regular units;

4) Patients are always busy;

5) Sexual offenders are accepted by others.

While much has been accomplished, the continuity and maturity of the program have been damaged by a number of resignations including the Clinical Director in January 1980. Under these circumstances, it has not been possible to implement and finalize a stable and mature program.

RECOMMENDATION 45 (cont'd)

Premature implementation of system evaluation, while programs are still in an evolving stage results either in negative findings, due to the program being too weak to have much effect, or problematic interpretation as changes in the program make it difficult to isolate the "active ingredient" responsible for observed effects.

The project will, therefore, experience an approximate 8-month delay in completion of the evaluation.

RECOMMENDATION 55

An immediate beginning must be made on phasing out the Prison for Women. Until the phaseout is complete, facilities and space must be provided immediately for an activity centre, and the life skills program must be restored.

As a replacement for the present Prison for Women small cottage-type institutions or village clusters must be established in at least three regions of Canada, with adequate programs to prepare women for release. Where security is required, it should be provided only on the perimeter, or for the very small group that requires it.

If there are not enough women for government-operated Community Correctional or Release Centres to be established, alternative residential arrangements or resources in the community must be found and used. Private homes could be recognized by the National Parole Service as Community Resource Centres for women on day parole.

STATUS - ACCEPTED - LONG TERM IMPLEMENTATION

A composite plan for the phasing out of the Prison for Women depends upon cooperative arrangements with the provinces and private agencies.

Quebec offenders are now all housed in Quebec's Maison Tanguay and Treasury Board has approved the monies for the upgrading of Quebec's facility relative to security and programs.

RECOMMENDATION 55 (cont'd)

Negotiations have commenced with Ontario with a view to arranging accommodation for inmates from Ontario and the Maritimes.

British Columbia has agreed to accept federal offenders into their new provincial institution, the completion of which is anticipated in 1985. A memorandum of understanding between the Federal Government and the province of British Columbia is being drafted. The province of Alberta has just received approval for the building of a female correctional facility and has agreed to accept federal inmates from the Prairie provinces. Discussions with Ontario concerning administrative arrangements are progressing.

The composite plan will make provision so that all female offenders currently in Prison for Women can be accommodated elsewhere. As the two Western Provinces plan on having their institutions in operation in 4 to 5 years, the Prison for Women will need to be utilized for women until that date. An alternative for handling unmanageable federal female inmates is being explored in the Ontario region. Not only is the Service continuing to proceed with necessary renovations and improvements, but opportunities have been given for women offenders to participate in the vocational and work programs available at Regional Headquarters and male institutions within the Kingston area.

RECOMMENDATION 57

A small number of maximum security institutions, should be used exclusively for inmates who require protective custody. Each such institution should have a section designated as medium security.

STATUS - ACCEPTED - LONG TERM IMPLEMENTATION

Kingston Penitentiary is now solely a multi-level protective custody institution.

Plans have been approved by the Senior Management Committee which complete the conversion of Saskatchewan Penitentiary to a multi-level protective custody institution by 15 August 1981.

Laval Institution will continue to house Quebec Region's protective custody inmates until the new Drummondville Institution is completed and operating as a multi-level protective custody institution.

RECOMMENDATION 59

There should be several separate institutions for the treatment of sex offenders since their therapy needs are distinctive from those of other inmates with personality disorders. Admission should be on a voluntary basis.

STATUS - ACCEPTED - LONG TERM IMPLEMENTATION

The CSC currently has specific treatment programs. Group therapy and behavioural therapy for dysfunctional inmates such as sexual deviant inmates and inmates with personality disorders are available in the Ontario, Prairie and Pacific Regional Psychiatric Centres. The Service also makes use of the treatment programs provided in the Quebec Region by the Philippe Pinel Institute for psychiatrically ill offenders. Previous responses notwithstanding, the establishment of a separate institution for the treatment of sex offenders, based on the Fort Steilacoom model cited in the Report, is not feasible at present.

The Steilacoom model would require that inmates convicted of sexual offences receive indeterminate sentences subject to review after successful treatment intervention. This review process, judicial or administrative, would allow their gradual release.

There is a lack of authority within our Service to implement gradual release programs for treated sexual offenders. A resolution of this problem is both a legislative (Parole Act) and administrative problem (dual jurisdiction of CSC and NPB).

The program would require professional staff and trained non-professional staff to run treatment programs for sex offenders coupled with specialized resources for intensive community follow-up.

There is a need to distinguish between the categories of inmates who have committed an offence of a sexual nature (for example, rape), and inmates who are sexual deviants (exhibitionist). Some are part of the mainstream of the inmate population, while others are the real candidates for specialized treatment programs.

RECOMMENDATION 59 (cont'd)

It should also be noted that the sex offender inmate is frequently unwilling to come forward for treatment due to a desire not to be identified by peers as a sex offender and/or he does not perceive himself as being in need of treatment.

CSC has initiated plans concerning treatment programs for sexual offenders. The purpose of the plan is to effect a better rationalization and coordination of current treatment programs, to ensure evaluation of these programs and to implement new programs (where resources allow) in the protective custody institutions where the majority of sexual offenders are located.

RECOMMENDATION 63

The Canadian Penitentiary Service should carry out an in-depth study of the feasibility and viability of penal communities in reasonably inaccessible areas as an alternative to confinement in conventional institutions for inmates serving long sentences without eligibility for parole.

STATUS - ACCEPTED - LONG TERM IMPLEMENTATION

At present, the Service is continuing to design programs on an individual basis with each long term offender and to monitor the results. At the same time, the Service has co-operated in the formation of a Ministry Committee whose task it will be to direct and co-ordinate research and information-gathering on the various aspects of long term incarceration. This committee will give consideration to the advisability of conducting further research into the concept of penal communities.

The Deputy Commissioner, Communications visited in March 1981, Islas Marias, a Mexican Penal Community in which selected inmates and their families reside in an open island community while the offender serves his sentence. A presentation will be made to the Senior Management Committee in June, 1981.

RECOMMENDATION 64

The appearance of arbitrariness in parole, especially in parole revocation without notice or reasons, is an unsettling factor in penitentiary life. There is also much resentment of the fact that mandatory supervision places dischargees under conditions similar to parole for a period of time equal to that of their earned and statutory remission. The parole system should be reviewed with a view to lessening these arbitrary aspects.

STATUS - ACCEPTED - LONG TERM IMPLEMENTATION

The identification and implementation of "procedural safeguards" has been an ongoing process over the past several years. Changes to the Parole Act, effected by the Criminal Law Amendment Act 1977, enabled a number of procedural safeguards to be formally embodied in the Parole Regulations. A wide number of procedural safeguards, covering both pre-release and post release Board operations and decisions, have now been implemented. There remain, however, a few measures which have not yet been effected because of the need for additional resources and required consultation both within and outside the Board to ensure effective implementation. These measures include the following:

1. Sharing of Information in Writing with Federal Parole Applicants at least fifteen days before the scheduled review for full parole at the full parole eligibility date.

   The Board has been reviewing this issue for some time in order to determine the most effective means of implementing this measure and to ascertain the resources that would be required. A plan for the implementation and application of this measure has been developed, and is currently being implemented on an informal basis, but a determination of the total resources that will be required in relation to the proposal is yet to be finalized. The proposed implementation date is January, 1982.

RECOMMENDATION 64 (cont'd)

2. Assistance at Panel Hearings

   The policy and procedures for National Parole Board and CSC have been developed and implemented as of April, 1981.

3. Improvement of National Parole Board Services to Provincial Inmates in Provinces With No Provincial Board of Parole

   Discussions have been held with provincial authorities in those areas affected and National Parole Board is presently preparing a policy statement on what steps will be taken to improve the level of service provided to provincial inmates. CSC and National Parole Board are looking into the resource implications of providing certain services.

4. Parole Guidelines

   In September, 1980, National Parole Board decided not to adopt the American "scoring system" which left too little or no discretion to the decision-makers.

   The National Parole Board has set up a research project in order to discover which standard factors are taken into consideration by the current Board Members. This project has top priority over other NPB projects.

5. The Ministry Release Study commissioned by the Minister in the summer of 1980 has been tabled with the Senior Policy Advisory Committee. This study provides a comprehensive review of all types of short-term release, their strengths and weaknesses as well as a number of recommendations to increase the effectiveness of conditional release practices in Canada. This study has been reviewed by National Parole Board and CSC jointly and a joint plan of action is presently being developed.

RECOMMENDATION 65

The Standing Committee on Justice and Legal Affairs should have a permanent reference during the rest of the 30th and 31st Parliament to enable it to review the implementation of the recommendations contained in the Parliamentary Report on the Penitentiary System and the institutions are open to Members of Parliament at all reasonable times.

STATUS - SPECIAL

While there was, in fact, no permanent reference established for the 30th and 31st Parliaments, as evidenced by the tabling of major Progress Reports since November, 1977, the Service is continuing to keep Members of Parliament aware of the progress it is making in the implementation of the recommendations contained in the Parliamentary Report on the Penitentiary System and the institutions are open to Members of Parliament at all reasonable times.